

REMARKS

As a preliminary matter, Applicants wish to thank the Examiner for the telephonic interviews on December 22, 2003, and January 5, 2004, in this case. The present amendments and remarks are made in view of the interviews.

Support for Amendments

Support for the amendment to claim 1 is found in claims 35-39 and the specification at page 19, lines 10-14. No new matter is introduced by this amendment.

Rejections Under 35 U.S.C. § 103(a)

All pending claims stand rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 4,470,371 ("the '371 patent") in view of U.S. Patent No. 5,789,208 ("the '208 patent").

As discussed in recent telephonic interviews, claim 1 has been amended to require that the pharmaceutical composition is limited to one or more of an IgG, IgM, IgA, or an IgD antibody. Thus, the claimed composition is free of IgE antibodies.

The present after-final amendment to claim 1 may properly be entered. The M.P.E.P. § 714.12 states that

Any amendment that will place the application either in condition for allowance or in better form for appeal may be entered.

Further, the M.P.E.P. § 714.13 requires that

The refusal to enter the proposed amendment should not be arbitrary. The proposed amendment should be given sufficient consideration to determine whether the claims are in condition for allowance.

Applicants respectfully submit that the amendment does not introduce new matter or require a new search because the added limitations are individually present in pending claims 35-39.

CONCLUSION

Applicants submit that the claims are in condition for allowance, and such action is requested. Enclosed is a petition to extend the period for replying for one month, to and including January 15, 2004. If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

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